

28 *Backfilling, Regrading, Contemporaneous Reclamation*

C O N T E N T S

Procedure for Reclamation Plans
Contemporaneous Reclamation Waivers Application

SUBJECT:	Procedure for Reclamation Plans
DATE:	November 1995

A large area or mountaintop removal mine that through its life will mine a main ridge and/or several finger ridges, and will also generate several excess spoil disposal fills should lay out on a relative basis, the sequence of removal of overburden, disposal of excess spoil, and backfilling of the mined area. It should specifically identify the source (i.e., mining area) of spoil that will be placed into each excess spoil disposal fill, and the timing of construction and reclamation of that fill in relation to the progress of mining.

The maximum amount of the mine area, either by acres or by proportion of the total operation, which will be disturbed at any given time should be clearly specified. For multiple-seam operations, it is critical that the plan identify the point in the operation when backfilling of specific areas will occur and the timing and distances whereby backfilling will lag behind the active coal pit(s). The plan should further make clear the maximum amount of acreage that will be disturbed at any time.

Each permit application must have a reclamation plan that can be completed within the scope of the proposed operation or in consideration with other already issued and operational permits. A plan which proposes to reclaim with overburden from future (not yet issued) permits is not acceptable and cannot be approved.

If the applicant does not propose (and obtain approval of) any alternative limits, those specified in the regulations at CSR 38-2-14.15(b) or CSR 38-2-15.2(b), as applicable, will be applied and strictly enforced.

SUBJECT:	Contemporaneous Reclamation Waivers Application
DATE:	September 13, 2000
Approval:	John Ailes, Deputy Chief, OMR

On August 18, 2000, OSM approved changes in the contemporaneous reclamation rules that were passed in the 2000 legislative session. Any application received after August 18, 2000, which includes a request for a variance from contemporaneous reclamation shall be required to post \$5,000.00 per acre for all bonded acreage (*including the original acreage plus all IBR/Amendment acreage*). The site-specific bond calculation for applications with a contemporaneous reclamation variance is not required since the bond rate has been set at \$5,000.00 per acre.

If at mid-term review or renewal of the permit the variance is no longer needed or applicable, the company may request a bond reduction. As part of the review, a site-specific bond calculation would be completed to determine the new rate per acre and bond amount required.